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Of Counsel for Defendant
COMCAST CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELINDA BROWN, GREGORIE
GREEN, ANETTE AVILA, MITCHELL
BREWER, TONI BENEDICT, RICHARD
PERDUE, SAMUEL BALTIERRA, and
JULIE EVERTS

Plaintiffs,

v.

COMCAST CORPORATION, a
Pennsylvania Corporation,

Defendant.

Case No. 3:16-cv-03649-JST

**STIPULATION TO EXTEND TIME TO
FILE A RESPONSIVE PLEADING TO
COMPLAINT BY FOURTEEN (14) DAYS
AND TO CONTINUE DEADLINE TO FILE
CASE MANAGEMENT STATEMENT
AND TO CONTINUE THE CASE
MANAGEMENT CONFERENCE;
DECLARATION OF MARSHALL L.
BAKER; [~~PROPOSED~~] ORDER**

1 Plaintiffs Melinda Brown, Gregorie Green, Anette Avila, Mitchell Brewer, Toni Benedict,
 2 Richard Perdue, Samuel Baltierra, and Julie Everts ("Plaintiffs") and Defendant Comcast
 3 Corporation ("Defendant") (collectively, the "Parties"), by and through their respective attorneys
 4 of record, hereby enter this stipulation to extend Defendant's time to file a responsive pleading to
 5 Plaintiff's Complaint (the "Complaint") and agree and stipulate to continue the time to file a Case
 6 Management Statement ("CMS") due on October 17, 2016 and to continue the Case Management
 7 Conference ("CMC") scheduled on October 26, 2016 as follows:

8 WHEREAS, the Parties agreed to extend the Defendant's responsive pleading deadline to
 9 October 11, 2016 to permit the Defendant to investigate the factual and legal issues raised in the
 10 Complaint. (ECF No. 14).

11 WHEREAS, based on Defendant's investigation to date, Defendant believes that the
 12 Plaintiffs are subject to individual arbitration and intends to move to compel the Plaintiffs to
 13 comply with their individual arbitration agreements.

14 WHEREAS, Defendant is still investigating the factual and legal issues raised in
 15 Plaintiff's Complaint, and needs a short period of additional time to complete that investigation
 16 before seeking to compel arbitration.

17 WHEREAS, in light of the foregoing, the Parties agreed to a brief fourteen (14) day
 18 extension Defendant's deadline to respond to the Complaint to and including October 25, 2016.

19 WHEREAS, the Defendant's Motion to Compel Arbitration would be heard on December
 20 1, 2016.

21 WHEREAS, on July 25, 2016 the Parties were directed to file a CMS by October 17, 2016
 22 and to attend a CMC on October 26, 2016. (ECF No. 12).

23 WHEREAS, in light of the foregoing and out of an abundance of caution, the Parties
 24 agreed to continue the deadline for the CMS to December 8, 2016 and to continue the CMC to
 25 December 14, 2016.

26 WHEREAS, this brief continuance will not impact any other deadlines already set by the
 27 Court.

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1 WHEREFORE, IT IS HEREBY STIPULATED AND AGREED:

2 The deadline for Defendant to file a responsive pleading to the Complaint is continued to
3 and including October 25, 2016, the deadline to file the CMS is continued to and including
4 December 8, 2016, and the CMC is continued to December 14, 2016 at 2:00 p.m.

5 Dated: October 7, 2016

DRINKER BIDDLE & REATH LLP

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7 By: /s/ Marshall L. Baker

8 Michael J. Stortz

9 Marshall L. Baker

10 Attorneys for Defendant

11 COMCAST CORPORATION

12 Dated: October 7, 2016

KRISTENSEN WEISBERG, LLP

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14 By: /s/ John P. Kristensen

15 John P. Kristensen

16 Attorney for Plaintiffs
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Attestation Pursuant to Civil Local Rule 5-1(i)

Pursuant to Civil Local Rule 5-1(i), I, Marshall L. Baker, hereby attest that I have obtained concurrence in the filing of this document from the other signatory to this document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 7th day of October, 2016 in San Francisco, California.

By: /s/ Marshall L. Baker
Marshall L. Baker

DECLARATION OF MARSHALL L. BAKER

I, Marshall L. Baker, declare as follows:

1. I am a member of the Bar of the State of California, admitted to practice before this Court, and an associate in the firm of Drinker Biddle & Reath LLP, attorneys of record for Defendant Comcast Corporation (“Defendant”) in the above-entitled action. Pursuant to Civil L.R. 6-2, I make this Declaration in support of Defendant’s and Plaintiffs Melinda Brown, Gregorie Green, Anette Avila, Mitchell Brewer, Toni Benedict, Richard Perdue, Samuel Baltierra, and Julie Everts’ (“Plaintiffs”) (collectively, the “Parties”) stipulation for a brief extension of (1) Defendant’s deadline to respond to the Complaint; (2) a brief continuance of the deadline to file a Case Management Statement (“CMS”) currently due on October 17, 2016; and (3) a brief continuance of the Case Management Conference (“CMC”) currently scheduled for October 26, 2016. If called, I would testify to the matters set forth herein.

2. In light of the Defendant’s continued investigation into the factual and legal issues raised in the Complaint, and in anticipation of Defendant filing a motion to compel arbitration, the Parties met and conferred regarding the deadline extensions and a continuance of the CMC.

3. The Parties agreed that a brief fourteen (14) day extension of the Defendant’s time to respond to the Complaint was appropriate.

4. The Parties further agreed, due to the extension of Defendant’s time to respond to the Complaint, that a continuance of the deadline to file the CMS and a continuance of the CMC until after this Court has heard Defendant’s motion to compel was appropriate.

5. The Parties request this continuance because it may provide sufficient time for the Defendant to fully investigate the allegations in the Complaint and to respond accordingly, and it will avoid burdening the Court prior to the Court hearing the Defendant’s motion to compel arbitration. The continuance will not impact any other deadlines already set by the Court or otherwise have any effect on the schedule of the case.

6. To date, the other time modifications in this case are as follows: on July 29, 2016 the Parties agreed to extend the Defendant’s responsive pleading deadline to September 8, 2016 and on September 6, 2016 the Parties agreed to extend the Defendant’s responsive pleading

1 deadline to October 11, 2016.

2 I declare under penalty of perjury that the foregoing is true and correct.

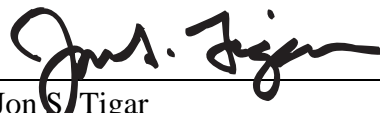
3 Executed this 7th day of October, 2016 at San Francisco, CA.

4 /s/ Marshall L. Baker
5 Marshall L. Baker
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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: October 17, 2016



Hon. Jon S. Tigar
UNITED STATES DISTRICT JUDGE